

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

JUL 23 2004

In the Matter of)	Federal Communications Commission
)	Office of the Secretary
Amendment of Section 73.622(b),)	MB Docket No. 04-185
Table of Allotments,)	RM-10860
Digital Television Broadcast Stations.)	
(Appleton, Wisconsin))	

To: Office of Secretary
Attn: Chief, Video Division
Media Bureau

COMMENTS OF ACE TV, INC.
IN SUPPORT OF NOTICE OF PROPOSED RULE MAKING

Ace TV, Inc. ("Ace"), licensee of WACY(TV), Channel 32, Appleton, Wisconsin and permittee of digital television station WACY-DT, Channel 59, Appleton, Wisconsin, by its undersigned attorneys and in response to the Commission's *Notice of Proposed Rule Making* in the above-captioned proceeding, DA 04-1316 (released May 21, 2004) (the "*NPRM*"), hereby files these Comments in support of the *NPRM*'s proposal to substitute DTV Channel 27c for DTV Channel 59 at Appleton, Wisconsin.

As Ace previously demonstrated, the adoption of the proposal contained in the *NPRM* is in the public interest as it will permit Ace to obtain a digital channel in the core band. Ace hereby incorporates herein by reference the pleadings it has filed and reiterates its expression of interest in the substitution at Appleton of DTV Channel 27c for DTV Channel 59. If the proposal set forth in this proceeding is adopted, Ace will expeditiously file an application for modification of its current DTV construction permit consistent with the specifications set forth in

the *NPRM* and, upon grant of the application, will take prompt steps to construct the DTV facilities proposed.

Based on the foregoing, Ace urges the Commission to adopt expeditiously the *NPRM*'s proposal to amend the DTV Table of Allotments as specified therein.

Respectfully submitted,

ACE TV, INC.

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Dated: July 12, 2004